

Message Text

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ORIGIN L-03

INFO OCT-01 ARA-06 NEA-10 ISO-00 JUSE-00 EB-07 COME-00

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DRAFTED BY L/ARA:DAGANTZ

APPROVED BY L/ARA:DAGANTZ

L MBFELDMAN (DRAFT)

ARA/MEX JDREYFUSS

JUSTICE JKEENEY (SUBS)

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O R 122136Z MAY 76

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO IMMEDIATE

INFO AMEMBASSY RABAT

AMEMBASSY SANTIAGO

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E.O. 11652: N/A

TAGS: EINV, MX

SUBJECT: BRIBERY CHARGES AGAINST GENERAL TIRE SUBSIDIARY

REF: MEXICAN 6037

1. MEXICAN EMBASSY HAS BEEN IN TOUCH WITH DEPT. ON THIS SUBJECT. WE HAVE ADVISED THEM THAT USG IS PREPARED TO PROVIDE THE REQUESTED ASSISTANCE, SUBJECT TO CERTAIN PROCEDURAL AND SUBSTANTIVE CONDITIONS WHICH WE WILL EXPLAIN IN DETAIL IN COURSE OF MEETING TENTATIVELY SCHEDULED FOR MAY 13. IF REPRESENTATIVE OF ATTORNEY GENERAL'S OFFICE DOES, IN FACT, COME TO MEXICO, HE WILL, OF COURSE, ATTEND MEETING AS WELL (WE HOPE, NEVERTHELESS, THAT SUCH A TRIP WILL BE DEFERRED AS MEETING WITH JUSTICE IS NOT POSSIBLE UNTIL
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MAY 24.)

2. PROCEDURE WHICH WILL BE FOLLOWED HERE IS ESSENTIALLY THE SAME AS USED IN THE LOCKHEED CASE. IT INVOLVES FORMAL ARRANGEMENTS BETWEEN DEPT. OF JUSTICE AND AUTHORITIES OF REQUESTING COUNTRY WHO ARE ACTUALLY RESPONSIBLE FOR LAW ENFORCEMENT AND INVESTIGATION TO ESTABLISH PROCEDURES FOR EXCHANGES OF INFORMATION SO AS TO ASSURE THAT THE INTEGRITY OF ONGOING U.S. INVESTIGATIONS IS PROTECTED AND TO PROTECT RIGHTS OF INDIVIDUALS INVOLVED. UNDER THE AGREEMENT THE INFORMATION FURNISHED IS TO BE USED EXCLUSIVELY FOR ,

PURPOSES OF INVESTIGATIONS AND TO BE KEPT CONFIDENTIAL UNTIL SUCH TIME AS IT MIGHT BE REQUIRED TO BE MADE PUBLIC IN CONNECTION WITH LEGAL PROCEEDINGS WHICH MAY BE INSTITUTED UNDER THE LAWS OF THE COUNTRY INVOLVED. ONCE AN AGREEMENT WITH MEXICAN AUTHORITIES HAS BEEN CONCLUDED, DEPT. WILL FORMALLY REQUEST SEC TO PROVIDE JUSTICE WITH RELEVANT INFORMATION FOR TRANSMITTAL TO THE MEXICAN AUTHORITIES.

3. IN COURSE OF MEETING MAY 13, DEPT. WILL EXPLAIN ESSENTIAL ELEMENTS OF PROCEDURE AND PROVIDE MEXICAN EMBASSY WITH TEXT OF MEMORANDUM OF UNDERSTANDING RECENTLY CONCLUDED WITH COLOMBIAN AUTHORITIES. (SAME TEXT WILL BE POUCHED TO EMBASSY) WE WILL ATTEMPT TO ASCERTAIN PRECISELY WHICH AGENCY OF MEXICAN GOVERNMENT IS RESPONSIBLE FOR INVESTIGATION AND PROSECUTION OF POSSIBLE VIOLATIONS OF MEXICAN LAW. (IT APPEARS FROM CABLE THAT PROPER AUTHORITY IS ATTORNEY GENERAL'S OFFICE, BUT WE WOULD APPRECIATE ANY ADDITIONAL INFORMATION EMBASSY CAN PROVIDE.) ONCE MEXICAN AUTHORITIES HAVE INDICATED THEIR ACCEPTANCE OF TEXT OF MEMORANDUM OF AGREEMENT (CHANGES IN THE STANDARD TEXT ARE DISCOURAGED), IT CAN BE EXECUTED BY JUSTICE AND OFFICIAL OF RESPONSIBLE MEXICAN AGENCY, OR BY MEXICAN AMBASSADOR TO U.S. IF LATTER IS DELEGATED NECESSARY AUTHORITY. JUSTICE DEPT. AUTHORITIES ARE PRESENTLY SWAMPED BY SIMILAR REQUESTS FROM OTHER COUNTRIES INVOLVING OTHER COMPANIES AND THUS WOULD PREFER TO DEFER ANY MEETING WITH MEXICAN AUTHORITIES UNTIL WEEK OF MAY 24; WE PRESUME THAT BY THAT TIME REVIEW OF TEXT OF MEMORANDUM OF UNDERLIMITED OFFICIAL USE

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STANDING BY MEXICAN AUTHORITIES WILL BE COMPLETED. ONCE MEMORANDUM IS SIGNED, INFORMATION CAN BE MADE AVAILABLE TO MEXICANS VERY QUICKLY THEREAFTER.

4. SUGGEST YOU OUTLINE PROCEDURES TO ATTORNEY GENERAL, NOTING THE DEPT. OFFICIALS ARE PURSUING THE MATTER WITH MEXICAN EMBASSY OFFICIALS IN WASHINGTON. KISSINGER

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